

## THIRD DEGREE WORK OF POLICE SCORED BY COURT

Judge Foster Refuses to Admit "Confession" Thus Ex-torted From Boy.

FEARED FOR HIS LIFE.

With Illegally Secured Evidence Barred, Jury Is Unable to Agree.

Judge Warren W. Foster, in General Sessions, to-day denounced the working of the "third degree" at Police Headquarters upon those accused of crime and in the eyes of the law presumed to be innocent.

Two boys, Richard Cosgrove, of No. 215 Washington street, and Thomas Fitzsimmons, of No. 114 Perry street, were on trial before Judge Foster, charged with a burglary in the shop of Abe Stool, of No. 167 Perry street. It was brought out that the police had worked the "third degree" in their case to an unprecedented extent.

Policeman David Brown, of the Central office, testified that Fitzsimmons had confessed to the crime, after having been informed that Cosgrove had "peached," a piece of police information the witness admitted was untrue.

Given Third Degree.

Brown took Fitzsimmons up to the photograph bureau at Police Headquarters, he testified, and the officer there asked:

"Do you want him put through?"

Brown replied that he did.

"What do you mean by putting him through?" asked Assistant District Attorney Manley.

"Taking his photograph and finger prints," replied the policeman.

"Well, what happened when you told the other yes?" inquired Brown, "erred."

Fitzsimmons replied: "I said, 'Yes.'"

"What are you going to do, kill me?"

"I'll tell the truth if you are not going to kill me. I'll tell you I was in there, meaning the shop of Stool. All right," I replied, told me."

Lawyer Price objected to the admission of the confession on the ground that it was extorted by threats and was therefore inadmissible.

Is Dangerous Practice.

"It seems to me that so far as the testimony is concerned," remarked Judge Foster, "it is getting dangerously near to the days of the Spanish Inquisition."

"Now, there is a feeling abroad in this city that this third degree at Police Headquarters is a very serious thing and a great menace to the safety of any one who is taken there."

"I do not mean to say that is the case, but there is that feeling and impression, and public policy requires, of course, that no one be forced to give testimony against himself."

"I do not think that the testimony which you offer here, Mr. District Attorney, is so free from suspicion as to make it admissible."

"I think, acting fairly toward the defendants, I am bound at this time to reject that testimony."

"I have no doubt that the police preparations may have made an impression upon the defendant," admitted Assistant District Attorney Manley.

"Yes, the very words of the defendant, 'Don't kill me, I will tell it all,' Judge Foster said, 'indicates that there was a doubt in his mind as to whether he did not think it safe to receive that testimony at this time and, therefore, sustain the objection.'"

The jury disagreed.

## YOUTH OF 18 IS SENTENCED FOR AN 18-YEAR TERM

Morris Stein Goes to Sing Sing for Robbing Woman at Pistol's Point.

For every year of his life up to the present time, Morris Stein, eighteen years old, of No. 226 Henry street, must spend a year in Sing Sing unless his behavior while in prison is such that he is entitled to a time allowance.

Stein, together with David Solomon, eighteen years old, of No. 14 Ludlow street, was tried in General Sessions before Judge Rosalsky to-day upon the charge of robbery in the first degree. It was Solomon's confession that implicated Stein, and the former was allowed to plead guilty to the lesser charge of grand larceny and was sent to the Elmira Reformatory.

On Dec. 18 last Stein and Solomon visited the apartment of Mrs. Dora Goldman, an aged woman. At the point of big magazine revolvers they robbed her of her jewelry and money, snatching a pair of diamond earrings valued at \$400 from her ears. They beat her over the head with the butts of their pistols. Mrs. Goldman, who lived alone at No. 116 Astor street, notified the police and Solomon was soon arrested.

Solomon readily confessed his part in the crime, although he gave the name of an old man who, he said, was the master mind, planning all the details which Stein and Solomon carried out. While freely admitting his part in the robbery, Solomon shifted the principal blame on Stein's shoulders, and this view of the case was taken by the court.

In sentencing Stein, Judge Rosalsky said:

"The magnitude of your offense is so great that it compels me, in the interest of justice, and for the protection of society, to see that substantial punishment is imposed upon you. Your future welfare must give way to the welfare of society, therefore you are sentenced to a term in Sing Sing for the next ten years, or not more than eighteen years."

Then turning to Assistant District Attorney McNish, Judge Rosalsky said:

"It seems to me that the Legislature should enact appropriate laws prohibiting the sale of firearms unless upon a written permit from the police authorities. If weapons of this murderous character are to be sold indiscriminately, without regard to the individual who is to possess them, then every thing in the country will adopt this magazine type of gun as being the most potent weapon for the destruction of human life. I believe this is a matter of sufficient importance for the Police Commissioner to call to the Governor's attention."

Both Stein and Solomon will have to serve a term of six months imposed upon them by the Court of Special Sessions for carrying concealed weapons before they begin their respective terms in the penitentiary and reformatory.

FELL FROM SCAFFOLD.

Frank Doling, thirty-five years old, a painter, of No. 252 West Forty-fourth street, fell from a swinging ladder a distance of thirty-five feet in front of the municipal ferry house at South Ferry this afternoon. He was taken to the Hudson Street hospital with a fractured leg.

Whiskey for Rheumatism

The increased use of whiskey for rheumatism is causing considerable discussion among the medical fraternity. It is an almost infallible cure when mixed with certain other ingredients and taken properly. The following is the formula:

To one-half pint good whiskey add one ounce syrup sassafras and one ounce Toris compound, which can be procured of any druggist. Take in teaspoonful doses before each meal and before retiring. Followed up, this is a sure remedy.

Not only will this formula promptly relieve the muscular pains, but it also makes one of the most effective system builders known to the profession.

## NEW YORK CENTRAL MUST PAY REBATE FINE OF \$108,000

United States Supreme Court Denies Appeal of the Railroad Company.

WASHINGTON, Feb. 22.—The verdict of the United States Circuit Court for the Southern District of New York imposing a fine of \$108,000 upon the New York Central Railroad Company on the charge of granting rebates to the American Sugar Company was to-day affirmed by the Supreme Court of the United States.

## For Complexion For Skin Diseases For the Hair MEDICURA THE SOAP THAT CURES

A combination of a Hair and Cream in the form of a Soap.

It acts as a Healing Balm in cases of Eczema, Rash, Itching, Irritations, Inflammations and Chaps of the Skin. Makes the skin soft and clear, prevents wrinkles and preserves freshness of youth.

For Sale by Druggists and Dept. Stores.

NEW PUBLICATIONS.

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HALL CAINE

The most powerful story of the year, in the

STRAND MAGAZINE

Of all Newsdealers 15c. a copy. \$1.50 a year.

## Wanamaker - Basement

What 12½c Will Buy in Underwear and Hosiery

First—a Woman's white-ribbed cotton Vest, sleeveless and low neck, full in width and length, in regular or extra sizes.

Second—a pair of Men's seamless fast black cotton Socks, with lisle thread tops and four thread heels and toes; or old-fashioned Socks of medium-weight tan cotton.

Third—Children's Stockings of fast black ribbed cotton, made with narrow ankles.

At 12½c pair Spliced heels and toes. The best value we know at the price. Old Basement, 10th St. side.

55c for Hot Water Bags That Will Give \$1.00 Service

Although rated as "Seconds" the imperfections are in the finish only, and are the only difference between these Bags and those that sell at \$1 and, in the larger sizes, at \$1.25 each.

Hot Water Bags of 2, 3, and 5-quart sizes in white and maroon rubber—at 55c.

Old Basement, Fourth avenue side.

Good Shoes for \$1 a Pair

Altogether there are about 300 pairs at this price—Women's Shoes, Oxfords and Slippers and Girls' and small Boys' Shoes. Shoes originally worth \$3, \$2.50 and \$2. Slippers and small shoes average \$1.50 value. Choose at \$1.

Rare Picking in Women's Shoes at \$1.90 and especially if your feet are narrower than most. Original prices were \$2.50 to \$3.50.

Old Basement, 9th St. side.

## JOHN WANAMAKER

Broadway, Fourth avenue, Eighth to Tenth street

It makes little difference what you need--a World Want will go and get it.

## The Wanamaker Galleries Furniture & Decoration

New Wanamaker Building. Store Opens at 8.15 and Closes at 6 P. M.

## Eleven Carloads of FURNITURE

(For Bedroom and Dining-room)

Have Just Arrived and Go on Sale Today

To Feature This Last Week of the Furniture Event

Spick-span-new—just from the factories—perfect in every way—of best construction in every grade—showing reductions of

10 to 33½ Per Cent. from Regular Values

This splendid variety, in new assortments—not picked over—enables the purchaser to select from as fine a stock as could be found almost anywhere, even at full prices.

And Only FIVE Selling Days Remain

There are Sideboards, Buffets, Serving Tables, Extension Tables and China Cabinets in mahogany, oak and walnut in various finishes. All of artistic design, of best construction and with a wide range in prices.

Bureaus, Chiffoniers, Toilet Tables, Washstands and Princess Dressers which are especially attractive for Summer homes and cottages. They are in natural oak, green oak, weathered oak, golden oak, white enamel and mahogany, well finished and of the best construction.

There is great variety and style, and no one should fail to find what is desired in this great collection. Bear in mind that this is the last week of this money-saving occasion, and if the purchases are not required for immediate use we will hold them a reasonable time and make deliveries at your convenience.

CHIFFONIERS

February Regular Price

February Regular Price

February Regular Price

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## Bloomingdale's

Our Annual Special Sale of Safety & Other Razors, Shaving Accessories, Etc.

68c Buys a 12-Blade Safety Razor Set

24-BLADE "ZINN" SAFETY RAZORS, were \$5.00, now \$2.69

\$1 Genuine Horsehide (Shell) Razor Straps, with leather handle, canvas back, for this sale only 25c

Shaving Brushes

HANDER HAIR SHAVING BRUSH—For this sale special price \$1.00. The GENUINE HANDER HAIR SHAVING BRUSHES, made of the best hair, values up to \$2.50, 48c, 50c, and 99c

Hollow-Ground Razors

12-5 Wade & Butler Hollow-Ground Razors, 38c

OTHER WADE & BUTLER RAZORS, Hollow-Ground, values up to \$1.50, from \$1.39 to \$2.50.

GEORGE WOSTENHOLM'S RAZORS, Hollow-Ground, values up to \$1.25, from \$1.09 to \$1.25.

JOSEPH RODGERS'S CELEBRATED ENGLISH STEEL RAZORS, Hollow-Ground, values up to \$2.50, from \$1.25 to \$1.48.

Scissors and Shears

GEORGE WOSTENHOLM'S SCISSORS, Hollow-Ground, values up to \$1.09, from \$1.09 to \$1.09.

IMPORTED HOLLOW-GROUND SCISSORS, values up to \$1.09, from \$1.09 to \$1.09.

SALE FILES, all sizes, at 10c, 12c, and 15c

Complete Shaving Outfit—Comprising

1 Hollow-Ground Wade & Butler Razor, 25c

1 China Mug, 10c

1 Horsehide or Swing Strap, 10c

1 Mirror, 10c

1 Toilet Brush, 10c

1 Cake of Shaving Soap, 10c

1 Bottle of Bay Rum or Witch Hazel, 10c

1 Bottle of Brilliantine or 1 Cake of Mace, 10c

1 Bottle Quinine, 1 stick of Superfine Cometic, 10c

Penknives, Etc.

IMPORTED PENKNIVES, 2, 3 and 4 blades, 50c, 75c, values at \$1.00

PRINCE BUTLER KNIVES—Star, bone, celluloid and tortoise shell handles, 2 blades, some with files

CELEBRATED RODGERS'S ENGLISH STEEL PENKNIVES—one and two blades, celluloid, 48c, 50c, and 99c

now \$2.50

MAIN FLOOR, 59th St. Section.

If You Desire to Open a Charge Account and Pay on Easy Terms and Save Money

consult our Co-operative Selling Department. This system enables you to purchase Furniture, Pianos, Household Goods, Carpets, Rugs, Oil Paintings, Sewing Machines, Talking Machines, Safes and almost everything you need for the household on easy terms, without being compelled to pay 50 to 100 per cent. more.

Warehouses, 34th Floor.

All Cars Transfer to BLOOMINGDALES', Lex. to 3d Ave., 59th to 60th St.

ALL CARS TRANSFER TO

Bloomingdale's

LEXINGTON TO 3<sup>RD</sup> AVE. 59<sup>TH</sup> TO 60<sup>TH</sup> ST.

Only a Few Days More

Our Greatest

February Sale of

\$450 Walters Louis

XV. Concert Grand

Upright Pianos,

Music Cabinet,

Chair and Cover

\$225

for.....

\$5 Down and Thereafter \$1 Per Week

No extras, Piano delivered to you on payment of \$5.

New Model Louis XV. 1909 Celebrated Tone-Lasting Walters

Pianos Have Reached the Highest Pinnacle of Perfection.

They are Pianos that will last a lifetime. Once you see them you will have no other, for there is no other piano to equal them even at double the price. It is a piano that will be a joy and pleasure to your home forever. In style, quality, construction, workmanship, tone and durability they are unsurpassed.

The improved repeating action is one of the finest manufactured and is guaranteed in every detail for twenty-five years. The action is made of finest double veneer, artistically carved and bird-eye maple lined.

FREE To all those purchasing pianos to-morrow we will give, free of charge, a music cabinet, new style chair with back and rubber cover.

They are Built to Last Forever

Think of it! One can buy the finest Walters Pianos by paying

\$5 Down, \$1 Per Week

We guarantee you a saving of from 40 to 50 per cent. in this great sale, besides the best piano investment you can make.

\$375 Style A Walters Pianos, \$198

\$500 Style L Walters Pianos, \$250 \$600 Style K Walters Pianos, \$300

\$550 Style D Walters Pianos, \$260 \$1,000 Walters Baby Grand, \$575

\$900 Walters Mastertone Player Piano Outfits, \$450

Finest player piano made, with 12 rolls of music, cabinet and scarf.

Beware of Piano Frauds! Don't buy a piano unless it bears the maker's name.

It is extremely dangerous to purchase a piano manufactured under a false name. Specially made pianos are the commonest form of piano fraud. It consists in taking an old piano, a cheap piano with a name resembling a good one, but in reality it is nothing but a cheap commercial piano manufactured for the dealer for the purpose of passing it off as a good piano. The dealer becomes perfectly satisfied.

Caution! Don't buy a so-called "specially made" second-hand piano at any price. It is a worthless piano and you would not get your money's worth.

Upon Request a representative will call and explain in detail this piano offering. Exchange your old piano for one of these beautiful Walters Pianos. We will take your old piano in part payment and give you the privilege of paying any balance at \$1 a week.

All Cars Transfer to Bloomingdale's', Lex. to 3d Ave., 59th to 60th St.

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Beautiful CRETONNES

For Country House Draperies—A Timely Sale

Every woman with plans in her head for a dainty bedroom or sitting-room for her country house will be delighted to get such charmingly decorative fabrics as these for so much less than their regular prices.

There are gay English Chintzes and Cretonnes, dainty Taffetas, effective Dimities, and many handsome Domestic Cretonnes and Art Tickings—merrily bespread with flowers large or small, and in all sorts of artistic colorings. There are ideal hangings and furniture covers for Summer cottages, and many a desirable slip cover for town houses. The designs are every bit as attractive as those of the new, incoming materials, for which they have to make way. Hence these decisive reductions, running up to 40 per cent. of former prices:

DOMESTIC CRETONNES and ART TICKINGS, 36-in., 16c a yard, formerly 25c and 28c.

LINEN TAFFETAS, 36-in., at 22c and 30c a yard, formerly 35c to 45c.

CHINTZES, 31-in., 16c a yard, formerly 25c.

Third Gallery, New Building.

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Eighth to Tenth Street

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